"Express Mail" Label No. EL 695 654-Date of Deposit <u>December 11, 2001</u> OIPE 11 2001

Attorney Docket No.: 15270J-005912US Client Reference No.: 209-US-NEW6C2



I hereby certify that this is being deposited with the United States Postar Service "Express Mail Post Office to Address" service under 37 CFP 1.10 on the date indicated above and is addressed to:

Assistant Commissioner for Patents

Washinton, D.C. 20231

Rosemarie I Celli

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Dale B. Schenk et al.

Application No.: 09/724,575

Filed: November 28, 2000

For: PREVENTION AND TREATMENT

OF AMYLOIDOGENIC DISEASE

Examiner:

Not Yet Assigned

Art Unit:

1632

INFORMATION DISCLOSURE

STATEMENT UNDER 37 CFR §1.97 and

§1.98

Assistant Commissioner for Patents Washington, DC 20231-0001

Sir:

The references cited on attached PTO/SB/08A and PTO/SB/08B forms are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 09/585,817, filed June 1, 2000 (Attorney Docket No. 15270J-005910US). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

The publication identified as Cite No. 144 is a grant application believed to have been submitted by Victor Raso for NIH Grant No. 1 R43 AGI 5746-01 on August 29, 1997.

Applicant obtained the grant proposal under the Freedom of Information Act (FOIA). It is

Dale B. Schenk et al. Application No.: 09/724,575 Page 2

believed that the grant proposal would not have been accessible under FOIA before April 2, 1998, but the exact date of public accessibility is not known to Applicant.

Applicant also cites commonly owned copending applications directed to related subject matter:

```
09/201,430 filed 11/30/98;
09/497,553 filed 02/03/00;
09/724,477 filed 11/28/00;
09/723,927 filed 11/28/00;
09/724,762 filed 11/28/00;
09/724,102 filed 11/28/00;
09/724,489 filed 11/28/00;
09/322,289 filed 05/28/99;
09/723,713 filed 11/27/00;
09/723,760 filed 11/27/00;
09/724,319 filed 11/27/00;
09/723,384 filed 11/27/00;
09/724,495 filed 11/27/00;
09/580,015 filed 05/26/00;
09/724,940 filed 11/28/00;
09/724,961 filed 11/28/00;
09/580,018 filed 05/26/00;
09/724,552 filed 11/28/00;
09/723,544 filed 11/28/00;
09/724,273 filed 11/28/00;
09/724,551 filed 11/28/00;
09/724,288 filed 11/28/00;
09/580,019 filed 05/26/00;
09/723,765 filed 11/28/00;
09/724,291 filed 11/28/00;
```

Dale B. Schenk et al. Application No.: 09/724,575 Page 3

> 09/204,838 filed 12/03/98; 09/724,921 filed 11/28/00; 09/724,929 filed 11/28/00; 09/585,817 filed 06/01/00 09/724,567 filed 11/28/00; 09/724,953 filed 11/28/00; 09/724,569 filed 11/28/00; 09/585,656 filed 06/01/00; 09/723,725 filed 11/27/00; 09/723,766, filed 11/27/00;

09/579,690 filed 05/26/00;

U.S. National Stage (application number not yet assigned, filed November 26, 2001) of PCT/US00/15239 having an international filing date of 06/01/00; and,

U.S. National Stage (application number not yet assigned, filed November 26, 2001) of PCT/US00/14810 having an international filing date of 05/26/00.

Applicant further cites the following commonly owned abandoned applications directed to related subject matter:

60/067,740 filed 12/02/97; 60/080,970 filed 04/07/98; 60/067,219 filed 12/03/97; 60/079,697 filed 03/27/98; 60/137,010 filed 06/01/99; 60/137,047 filed 06/01/99; and, 60/136,655 filed 05/28/99.

Applicant points out that the following applications are now commonly assigned but were previously subject to different assignment than the present application:

60/067,219 filed 12/03/97; 60/079,697 filed 03/27/98; 09/204,838 filed 12/03/98; 09/724,921 filed 11/28/00; and, Dale B. Schenk et al.

Application No.: 09/724,575

Page 4

09/724,929 filed 11/28/00.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information, and no inference should be made that the information and references cited are, or are considered to be material to patentability because they are in this statement. No inference should be made that the information and references cited are prior art merely because they are in this statement.

Applicant believes that <u>no fee is required</u> for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Rosemarie L. Celli Reg. No. 42,397

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834

Tel: 650-326-2400 Fax: 650-326-2422

RLC

PA 3189629 v1